

ACT No. 1396

THE SPECIAL PROVINCIAL GOVERNMENT ACT

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THE SPECIAL PROVINCIAL GOVERNMENT ACT

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[No. 1396.]

AN ACT PROVIDING FOR THE ORGANIZATION OF PROVINCIAL GOVERNMENTS IN ALL PROVINCES OF THE PHILIPPINE ISLANDS, OTHER THAN THE MORO PROVINCE, WHICH ARE NOT ORGANIZED UNDER THE PROVISIONS OF THE PROVINCIAL GOVERNMENT ACT NUMBERED EIGHTY-THREE, AND REPEALING ACTS NUMBERED FORTY-NINE, THREE HUNDRED AND THIRTY-SEVEN, FOUR HUNDRED AND TEN, FOUR HUNDRED AND TWENTY-TWO, FOUR HUNDRED AND FORTY-ONE, FIVE HUNDRED, FIVE HUNDRED AND SIXTY-SIX, AND FIVE HUNDRED AND SIXTY-SEVEN, AND SECTIONS ONE AND TWO OF ACT NUMBERED SEVEN HUNDRED AND FORTY-SEVEN.

Repealing 49, 337, 410, 422, 441, 500, 566, 567, 747, s. 1 and 2, and all Acts or parts of Acts in conflict with this Act.

By authority of the United States, be it enacted by the Philippine Commission, that:

The Special Provincial Government Act.

SECTION 1. A civil provincial government is hereby established for each province of the Philippine Islands not organized under the Provincial Government Act Numbered Eighty-three, except the Moro Province. Every provincial government established under this Act shall be a body corporate, with power to sue and be sued, to have and use a corporate seal, to hold property, real and personal, to make contracts for labor and material needed in the construction of duly authorized public works, and to incur such other obligations as are expressly authorized by law.

Civil provincial governments.

Corporate bodies.

SEC. 2. Except as hereinafter provided, the officers of each provincial government organized under this Act shall be a provincial governor, a provincial secretary, a provincial treasurer, a provincial supervisor, and a provincial fiscal. No person shall be eligible for any of these offices who is not either a citizen of the United States, a native of the Philippine Islands, a person who has taken the oath of allegiance to the United States and served as a member of the Army or Navy of the United States and been honorably discharged therefrom, or who, not being a subject or citizen of any other power or government, may have under or by virtue of the treaty of Paris acquired the political rights of a native of the Philippine

Provincial officers.

—eligibility.

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Islands, or who, having taken the oath of allegiance to the United States, shall violate the same. Nonresidence in the province shall not render the person appointed to the office ineligible.

Appointments by Governor-General. SEC. 3. The provincial officers shall be appointed by the Governor-General, with the advice and consent of the Philippine Commission, and shall hold office during his pleasure. They shall reside and have their offices at the capital of the province.

Residence and offices. **Civil Service Act.** SEC. 4. The provincial secretary, the provincial treasurer, and the provincial supervisor shall be selected under the provisions and restrictions of the Civil Service Act. The provincial secretary shall be able to speak and write the Spanish language, and, after January first, nineteen hundred and six, the English language also.

Secretary, qualifications. **Treasurer, bond.** Before the treasurer shall qualify he shall give a bond to the Insular Government for the benefit of whom it may concern, with sufficient surety, in the amount hereinafter prescribed in sections twenty-three to twenty-seven, inclusive, in the case of each province to which this Act shall apply; the surety, or sureties, shall be

Sureties. **Conditions of bond.** approved by the Treasurer of the Philippine Islands. The bond shall be conditioned to secure the faithful performance of the duties of the office as now or hereafter prescribed by law, and for the accounting for all funds coming into his hands as treasurer, or into those of his authorized deputies, during his incumbency, and, in case of death or removal, until the statement of his accounts by the Auditor for the Philippine Islands. His bond shall, after its approval, be filed with the Treasurer of the Philippine Islands, who shall record the same in a book to be kept for the purpose and

Approval and filing of bond. shall safely keep the same. If suit be brought on this bond it shall be no defense to those signing the bond that the above requirements for approval have not been complied with, if in fact, by virtue of such bond, the provincial treasurer has entered upon the discharge of his official duties.

Suits on bonds, defense. **Oath of office.** SEC. 5. Before assuming office each provincial officer shall take and subscribe to the following oath or affirmation:

—form. “I, _____, having been appointed to the office of _____ of the Province of _____, do hereby solemnly swear (or affirm) that I will well and truly perform all the duties of said office; that I will faithfully account for all moneys coming into my hands as such officer; that I will bear true faith and allegiance to the Government of the United States; that I take this oath without any mental reservation whatsoever. So help me God. (In case of affirmation the last four words shall be omitted.)”

—administration of. The oaths of office may be administered to provincial officers by a member of the Commission, the Executive Secretary, the Assistant Executive Secretary, the governor of the province, or

any United States Army officer stationed in the province, by the judge of First Instance within whose judicial district the said province lies, by any notary public or justice of the peace, or by any other person duly authorized in such case to administer oaths.

SEC. 6. (a) The provincial governor shall be the chief executive officer of the province. He shall report to the Governor-General. Provincial governor's powers and duties. Reports. He shall see that the laws are faithfully executed by all the officers in the province; he shall receive the judge of First Instance when he enters the province to hold the terms of court therein, and shall provide for his protection and entertainment, charging the reasonable expenses thereof to the provincial treasury, which shall not exceed six pesos, Philippine currency, per day: *Provided*, That Execution of laws. Entertainment of judge. where the governor fails for any cause to make proper provision for the protection and entertainment of the judge, a per diem of six pesos, Philippine currency, shall be allowed from the provincial treasury to the judge in lieu of expenses during the period he is required to be in the province for the purpose of holding court. Failure to provide for judge.

(b) He shall attend the Court of First Instance when in session, by himself or a deputy, as the chief executive officer of the court and province, and shall execute such process as he shall be required to execute by law. Officer of the court.

(c) Subject to other provisions of law, he shall have control of the local police of the various townships or settlements of the province; and may, when the public interests require, temporarily withdraw from the township or settlement in which such police are organized a part thereof for use in other townships or settlements of the province. Control of local police.

(d) In the event that any provincial Constabulary inspector in charge shall find that the officers or men of the township police force are inefficient, dishonest, disloyal to the United States, or guilty of any violation of law or duty, he shall at once report the same to the governor of the province, who shall have power, and it shall be his duty, to suspend the accused official, and after due hearing, if he finds the official accused to be guilty of the offense or neglect of duty charged, he shall dismiss him, and the vacancy thus occasioned shall be filled as provided by the provisions of the Township Government Act. Provincial Constabulary inspectors, duty and power.

(e) He shall exercise the same powers with regard to the use of the Insular police stationed in the province as are now or may hereafter be provided by law for governors of provinces organized under Act Numbered Eighty-three, entitled "The Provincial Government Act." Insular police.

(f) Whenever lawless violence or seditious conspiracy and disturbance of the public peace shall occur of so formidable a character as to be beyond the power of the local and Insular police of the Lawless violence, conspiracy, etc.

province to suppress, it shall be the duty of the governor to call upon the Governor-General or the military officer commanding the district in which the province lies to send troops to suppress the disturbance.

—meetings of provincial board.

(g) He shall preside at all meetings of the provincial board hereinafter constituted.

Visits to townships and settlements.

(h) He shall at least once in every six months visit every township or settlement in the province; while in the township or settlement he shall hear all complaints made against the conduct of any of its executive officers, and take suitable action thereon. He shall

Suspension of officials.

have the power to suspend any township official charged with misconduct in office or disloyalty to the United States, and after proper notice and hearing to remove him and to direct the provincial fiscal to bring a criminal or civil suit in the public interest against the person complained of if the charge made involves either civil or criminal liability, or to dismiss the complaint and reinstate the person complained of.

Removals.

Suits.

Reinstatements.

Annual reports.

—contents.

(i) Between the first and fifteenth of July of each year he shall make a report to the Governor-General of the Philippine Islands for the fiscal year ending on the thirtieth of June. This report shall embrace all matters pertinent to the administration and progress of the provincial government, and contain full information as to the commercial, economic, financial, industrial, and political conditions of the province, in order that the Governor-General and the Philippine Commission may be properly informed of the actual existing conditions during the period covered by the report. Should unexpected events or matters of special importance to the general welfare of the province occur subsequent to the date of the regular annual report, a supplementary statement may also be filed, not later than September fifteenth, in order that complete data may be at hand for the use of the Governor-General in submitting his annual report to the Philippine Commission.

Custody of prisoners.

(j) The governor shall, through a jailer and guards to be appointed by him, have custody of all prisoners held awaiting trial or duly sentenced to the provincial jail.

Promulgation of laws and orders.

(k) He shall make known to the people of his province, by proclamations or communications delivered to the presidents of the several townships or settlements, all general laws or governmental orders which concern them.

Date of first elections.

(l) Upon the organization of any new township or settlement within the province he shall fix the date for the first election in such township or settlement.

Badge of office.

(m) He shall be authorized to carry, as a badge of his office, a walking stick of white Indian cane, with gold head and a gold cord.

SEC. 7. The provincial secretary shall attest all the official acts of the provincial governor under the seal of the province, and shall record all of such acts as are required by law to be recorded. He shall be the custodian of the provincial seal. He shall receive from the provincial governor and file in his office all reports to the provincial governor required by law, and shall index the same, and he shall generally act as custodian of all provincial records and documents. He shall, on demand, furnish certified copies of all public records and documents, for which he may charge as personal compensation, in addition to his regular salary, the amount of ten centavos, Philippine currency, per one hundred words, including the certificate.

Provincial secretary's duties and powers.

Seal and record.

Files.

Certified copies.

SEC. 8. (a) The provincial treasurer shall be the chief financial officer of the province. He shall fix the day or days during each month from January fifteenth to June thirtieth of each year on which the people of the several townships may appear before him or his deputies to pay their property taxes: *Provided*, That the last day so fixed shall be the thirtieth of June of each year. He shall, in person or by authorized deputy, supervise the appraisal and assessment of real property in all the townships or settlements of the province, except where otherwise specially provided. He shall, by himself or deputy, collect all taxes imposed upon property or persons in the province either by the townships or settlements of the province, the provincial government, or the Central Government of the Islands, except fines for the violation of township ordinances, fees for the granting of the privilege of fisheries, the issuing of certificates of ownership of large cattle and the transfer of title to the same, tolls from ferries operated by the townships, fees from township stables, township pounds, township markets, township slaughterhouses, township bath houses, and township cemeteries; which shall be collected by the township treasurer in the manner prescribed by ordinance of the township council. It shall be his duty to procure a certified copy of the tax-assessment list from each township or settlement of the province, and file the same in his office, and to make an alphabetical index thereof, which list and alphabetical index shall be a public record.

Provincial treasurer's powers and duties.

Tax days.

Appraisal and assessment.

Collection of taxes.

—exceptions.

Tax-assessment list and index.

(b) Upon the receipt of the monthly accounts of each township he shall promptly audit the same and shall disallow any expenditures not properly authorized, immediately notifying the township treasurer of any expenditures disallowed.

Audit of township accounts.

(c) He shall be the custodian of the funds of the province and shall pay no money out of the provincial treasury except upon warrants drawn in accordance with law, which shall be attached to his vouchers for their payment. He shall render an account before the tenth of each month to the provincial board of the transactions

Custodian of funds; payments.

Monthly accounts to provincial board.

of his office for the preceding month, and shall include, among other things, the amount of the cash on hand at the beginning of the month and the receipts during the month from every source, the payments during the month and on what accounts paid, and the balance on hand at the close of the last day of the month.

—examination by board. The provincial board shall examine such accounts, and if found correct, shall so certify on the face of the accounts. He shall

—copies to Treasurer and Auditor. forward a copy of his monthly accounts, so approved, to the Treasurer of the Philippine Islands, and another to the Auditor for the Philippine Islands. The reports or accounts-current submitted

Vouchers. to the Auditor shall be accompanied by all of their supporting vouchers to enable the Auditor to settle and adjust the same and certify the balance thereon. Such accounts-current, vouchers, and paid warrants shall be as prescribed by the rules prepared under section ten of this Act. The provincial treasurer shall retain a copy of his accounts-current and of their supporting vouchers and file the same as a permanent record of his office.

Registrar of property. (d) He shall perform the duties of registrar of property pending the appointment of such registrar for the province in accordance with the provisions of the Land Registration Act.

Committee to count cash of provincial treasurer. SEC. 9. Promptly at the close of business on the last day of each month, and at other times if in the opinion of the provincial governor it is deemed advisable, a committee consisting of the provincial governor, the provincial supervisor, and the division superintendent of schools shall count the cash in the hands of the provincial treasurer. If the provincial treasurer is authorized to

Deposit accounts of treasurer. deposit funds in a designated depository he shall keep a true and correct record of all deposits made by him therein, and a true and correct list of checks drawn against the said depository by him, showing the date and number of such checks, the name of the payee, and the purpose for which drawn. In counting the cash

Balances on deposit. in the hands of the provincial treasurer the aforesaid committee shall include therein as a separate item the balance on deposit in such depository, as shown by the records kept by the provincial

Separate count of cash of disbursing officers. treasurer. If the provincial treasurer is acting as a disbursing officer of Insular funds, the committee aforesaid shall count and determine the cash balance on hand of said account under each separate designation as disbursing officer of Insular funds in the same manner and at the same time as the balance of provincial

Certificates by committee. funds is ascertained. The committee aforesaid shall certify in detail to the Auditor for the Philippine Islands and to the Treasurer of the Philippine Islands the result of each count and verification of cash herein provided for, and such certificates shall be signed by each member of the committee: *Provided*, That in case

Teacher as member of committee. the division superintendent of schools does not reside at the

provincial capital or is disqualified for any other reason, a teacher of the public schools at the provincial capital, assigned to such duty by the division superintendent, shall be a member of the above committee and shall assist in the counting of cash in the provincial treasury and make proper certification as herein provided: *And provided further*, That in case the office of the provincial supervisor is combined with that of provincial treasurer or provincial governor the Governor-General shall designate a third person to act as a member of said committee. In the absence or disability of any member of the aforesaid committee two of the said committee shall act and make the verification; and in the absence or disability of two members of the committee it shall be the duty of the remaining member to call upon a teacher of the public schools at the provincial capital who shall act as a member of said committee and make proper certification as provided herein. A duplicate of the certificate forwarded to the Insular Auditor and the Insular Treasurer shall be spread upon the minutes of the provincial board.

Supervisor-treasurer, accounts.

Absence of member of committee.

Duplicate certificates, record.

SEC. 10. (a) The Treasurer of the Philippine Islands shall prescribe the method of keeping the ledgers and records of the provincial treasurer, and shall prepare such rules and regulations relative to the administration of the affairs of his office as may be necessary. The necessary books and forms shall be furnished to the provincial government by the Treasurer of the Philippine Islands at cost.

Insular Treasurer, duties.

(b) The Auditor for the Philippine Islands shall prescribe the manner in which the provincial treasurer shall render accounts submitted to him for settlement, as provided by rule twelve of Act Numbered Ninety, and issue instructions relative to the rendition of such accounts, as provided in rules twelve and forty-four of said Act. For assistance in the audit of the accounts of the provincial treasurer, the Treasurer of the Philippine Islands shall forward to the Auditor for the Philippine Islands copies of all resolutions of the provincial board approved by the Treasurer of the Philippine Islands authorizing the appointment of assistants, deputies, and other employees, and fixing their salaries.

Insular Auditor, duties.

Copies of resolutions of provincial board to Auditor.

(c) The books, accounts, papers, and cash of the provincial treasurer and the township treasurers shall at all times be open to the inspection of the Treasurer of the Philippine Islands or his duly authorized agent. At least once in every six months the office of the provincial treasurer shall be examined by a traveling examiner of the Treasurer of the Philippine Islands, who shall file with the Auditor for the Philippine Islands a complete report covering every examination made by him of said office, particularly citing therein each and every discrepancy or failure to charge a

Books and accounts of provincial treasurer open to inspection.

Examination of accounts.

Reports to Auditor.

revenue which may be discovered, and make such other reports as the Insular Treasurer may require.

Shortage.

(d) In case the examination of the traveling examiner of the Treasurer of the Philippine Islands discloses a shortage in the cash which should be on hand, it shall be the duty of the examining

Seizure of office.

officer to seize the office and its contents and notify the Treasurer of the Philippine Islands and the Auditor for the Philippine

Deputy of Insular Treasurer in charge.

Islands forthwith. The Treasurer of the Philippine Islands or his deputy shall thereupon at once take full possession of the office, the books, papers, vouchers, and cash of the provincial treasurer, close and render his accounts to the date of taking possession, and temporarily continue the public business until action is taken in

Notice to sureties.

accordance with section twenty of this Act. Upon the seizure of the office, the sureties of the defaulting officer shall be at once notified by the Treasurer of the Philippine Islands.

Accounts and report by deputy in charge.

(e) The deputy of the Treasurer of the Philippine Islands placed in charge of the office of the provincial treasurer under the provisions of this section shall render to the Auditor for the Philippine Islands the accounts of such provincial treasurer, and in his name to the date of taking possession, if the same are delinquent, together with a copy of his report of the examination.

Audit.

Upon receipt of such accounts the Auditor shall examine and audit the same without delay. Upon the completion of such examination and audit, when a defalcation is shown and it is necessary to institute legal proceedings against the sureties of the defaulting officer, the Auditor for the Philippine Islands shall

Defalcation, legal proceedings.

—by Attorney-General.

forward to the Attorney-General a statement of the account. Such proceedings shall be brought against the sureties, under the direction of the Attorney-General, and in such suit the account as stated by the Insular Auditor shall be *prima facie* evidence of the amount due on the bond.

Prima facie evidence.

Death of provincial treasurer.

(f) In case of the decease of the provincial treasurer, the same procedure shall be pursued, and upon settlement of his accounts by the Insular Auditor the legal representatives of such deceased officer shall be furnished with a certified copy of the settlement.

Provincial supervisor's powers and duties.

Roads, bridges, ferries, and buildings.

SEC. 11. (a) The provincial supervisor shall have supervision of the construction, repair, and maintenance of the roads, bridges, and ferries of the province. He shall also have charge of the construction and repair of public buildings and the offices of the provincial government, and shall be the custodian thereof under the direction of the provincial board. It shall be his duty to see that

Repairs and reports.

the roads, bridges, and public buildings of the province are kept in proper repair, and he shall make monthly reports to the provincial board as to the condition of the roads, bridges, and public

Recommendations.

buildings of the province, and shall recommend to the board the

repairs and new construction which are necessary. All contracts for the construction, repair, and maintenance of provincial buildings, roads, bridges, or ferries shall be let by the provincial supervisor, with the approval of the provincial board, and no payment, partial or final, upon any contract made for such work shall be made except upon the certificate of the supervisor that the same is due. Before a contract is let for work it shall be the duty of the supervisor to prepare proper plans and specifications and to make an estimate of the cost thereof, and to submit the same to the provincial board. Copies of all contracts made by the supervisor with the approval of the provincial board shall be forwarded by the supervisor to the Auditor for the Philippine Islands and to the Consulting Engineer to the Commission, and he shall submit monthly reports of all engineering work prosecuted during the month to the Consulting Engineer to the Commission.

Contracts.

—letting.

—payments.

—plans and specifications.

—copies to Auditor and Consulting Engineer.

Monthly reports.

(b) In preparing plans and specifications for the construction and repair of buildings for secondary schools, to be undertaken by the province as hereinafter provided, the provincial supervisor shall consult with the Insular Architect and with the superintendent of the school division in which the province is located; and such plans and specifications shall be subject to the approval of the latter or of the General Superintendent of Education, in accordance with the provisions of Act Numbered Seventy-four, as amended, before the work may be undertaken.

School buildings.

—approval of plans and specifications.

(c) All stationery and office supplies of every character shall be purchased by him, upon the order of the provincial board, for the use of the provincial officers. He shall keep a property account, in which he shall charge the provincial officers with the furniture or other personal property delivered to them and held or used by them for public purposes, and shall take receipts for all supplies thus delivered by him.

Stationery and office supplies.

Property account.

Receipts for supplies.

(d) He shall give bond to the Government of the Philippine Islands, for whom it may concern, to secure the proper accounting for all money, property, and supplies intrusted to his custody. It shall be the duty of the Governor-General to fix the amount of the bond, and of the Treasurer of the Philippine Islands to approve the same and record and retain it in his custody. In case of a vacancy in the office of provincial supervisor, or when, for any reason, such officer can not perform his duties, the provincial treasurer shall be vested with the power to purchase stationery and office supplies, and in making such purchases and delivering the same to the provincial officers he shall keep a property account and take receipts required of the provincial supervisor by paragraph (c) of this section.

Bond.

—amount; approval.

Vacancy.

—purchases by treasurer.

Property account

SEC. 12. The provincial fiscal shall be the attorney and legal adviser of the provincial government and of each of its officers when

Provincial fiscal's powers and duties. Legal adviser.

called upon, and they may require from him written opinions. He shall represent the provincial government in all suits brought on its behalf or against it in the courts of the province or in the courts of any other province: *Provided*, That in case the provincial fiscal is performing the duties of fiscal for more than one province he shall be disqualified, in controversies between such provinces, to act as attorney or legal adviser for either of them, and the Secretary of Finance and Justice shall, in accordance with the provisions of Act Numbered Eleven hundred and twenty-five, as amended by Act Numbered Eleven hundred and fifty-three, direct the temporary detail of a fiscal for the performance of such duties for each province. He shall be the legal adviser of the council and president of each township or settlement of the province, and shall upon the request of any president or council submit in writing his views upon any question properly arising in the discharge of their public duties.

Suits. He shall in the courts of the province represent the public in all criminal cases, and perform such duties with reference to the institution of all criminal prosecution as the Code of Criminal Procedure shall require. In cases where the interests of any township or settlement and of the provincial government are opposed he shall act on behalf of the provincial government, and the township or settlement shall be obliged to employ special counsel. The Attorney-General shall represent the provincial government, except as hereinafter provided, in all suits for or against it which shall come into the Supreme Court; but if he deems it necessary he may authorize the provincial fiscal to assist him in the hearing of the cause before the Supreme Court. In suits by the government of one province against the government of any other province the Attorney-General shall take no part, and the provinces engaged in the litigation shall be represented in the Supreme Court by their respective provincial fiscals.

Disqualification. When any criminal case is appealed to the Supreme Court the provincial fiscal shall forthwith make a report to the Attorney-General explaining the question of law and fact appearing therein, and the conclusions of the court, and, if the Attorney-General directs, the provincial fiscal shall appear in such case in the Supreme Court on appeal. The Attorney-General shall have general supervision of the provincial fiscal, shall prepare rules for his guidance, and may require reports from him as to the condition of the public business in the court of his province. The fiscal of the Mountain Judicial District and the fiscal of the Fifteenth Judicial District shall be entitled to the traveling expenses authorized by section eighteen of Act Numbered Eight hundred and sixty-seven, and the fiscal of the Province of Mindoro shall be entitled to the traveling expenses authorized by section eleven of Act Numbered Five hundred, the

Temporary detail of a fiscal.

Legal adviser of councils and presidents.

Attorney-General, Supreme Court cases.

Suits, interprovincial.

Appeals, criminal cases.

Supervision of fiscals.

Traveling expenses, Mountain and Fifteenth Districts.

—Mindoro.

provisions of section fifteen of this Act to the contrary notwithstanding.

SEC. 13. The salaries authorized in this Act shall be paid ^{Payment of salaries.} monthly so that one-twelfth of the annual salary shall be paid on the last day of each calendar month.

SEC. 14. There shall be such subordinate employees in the office ^{Subordinate employees.} of the provincial governor, the provincial secretary, the provincial treasurer, and the provincial supervisor as the provincial board shall authorize and the Treasurer of the Philippine Islands approve; they shall be appointed by the provincial governor, the ^{—appointment.} provincial secretary, the provincial treasurer, and the provincial supervisor, respectively, subject to the provisions of the Civil ^{—Civil Service Act.} Service Act; and their salaries shall be fixed by the provincial board ^{—salaries.} with the approval of the Insular Treasurer: *Provided*, That the aggregate salaries of such officers and employees shall not exceed ^{—aggregate salaries.} the amount appropriated therefor by the Philippine Commission: *And provided further*, That the provincial treasurer shall have ^{—bonds of treasurer's deputies.} authority to require a bond from each of his deputies in a penal sum not less than the largest amount of public funds of every kind such deputy is likely to have in his custody at any one time, or may, with the approval of the Insular Treasurer first had, employ deputies from whom no bond shall be required, other provisions of law to the contrary notwithstanding, but the provincial treasurer ^{Liability of provincial treasurer.} shall be liable upon his official bond for the faithful performance by such deputies of their duties and for the accounting for all funds coming into their hands as such deputies.

SEC. 15. Provincial officers, their deputies, subordinates, and ^{Traveling expenses and subsistence.} other employees, shall be allowed the expenses of travel and subsistence while necessarily absent from the capital of the province on official business as herein provided:

(a) Actual and necessary cost of transportation, together with a per diem not exceeding two pesos, to be fixed by the provincial board, for subsistence, except as otherwise herein provided.

(b) Actual and necessary cost of transportation and subsistence only, while traveling by boat, when subsistence is not included in the cost of transportation.

(c) Actual and necessary cost of transportation only, while traveling by boat, when subsistence is included in the cost of transportation.

(d) A per diem of six pesos, for transportation and subsistence, while in the city of Manila.

(e) The provincial board shall, by resolution, on or before ^{Provincial board to fix maximum tariff.} January first and July first of each year, fix a tariff of maximum amounts which shall be allowed provincial officers and employees for expense of transportation on official business between the various

towns of the province, during the ensuing six months, and a copy thereof shall be forwarded by the provincial secretary to the Insular Auditor.

Payment.

(f) Payment of transportation and subsistence expenses in accordance with the provisions of this section shall be made from the treasury of the province upon the approval of the provincial board.

The provincial board.

SEC. 16. The provincial governor, provincial treasurer, and provincial supervisor shall constitute the provincial board. The governor shall be the presiding officer of the board, and the provincial secretary shall be its secretary and shall keep its minutes.

Presiding officer, and secretary.

Duty of provincial board.

Offices, court-houses, and jails.

SEC. 17. It shall be the duty of the provincial board:

(a) To provide, by construction or purchase or renting, suitable offices for the provincial officers, and a court-house containing a room or rooms suitable for the holding of court and for offices for the court officers, and a provincial jail in the municipality fixed by law as the capital of the province. The provincial building shall first be used for the purpose of affording sufficient office room to all the provincial officers. If, after supplying this necessary office room, the building affords sufficient accommodation for the residence of the governor of the province, he may occupy the building for this purpose. The assignment of rooms for offices and the residence of the governor in the provincial building shall be made by the provincial board.

Use of provincial building.

Governor's residence.

Vault or safe.

(b) To furnish a suitable vault or safe to the provincial treasurer, in which he shall keep the provincial or other public funds as long as they are in his custody, except as hereinafter provided.

Roads, bridges, and ferries.

(c) To order, in its discretion, the construction, repair, or maintenance of roads, bridges, or ferries within the province on the recommendation of the provincial supervisor, and to approve or reject contracts for such construction or repair, and the construction or repair of provincial buildings let by the provincial supervisor:

Contracts.

—exceeding one thousand pesos.

Provided, That no public improvement, the estimated cost of which exceeds one thousand pesos, Philippine currency, shall be directed to be made or contract therefor approved or funds therefor appropriated until the provincial board shall have requested through the Executive Secretary investigations, plans, or surveys of such public improvement by the Bureau of Engineering: *Provided further*, That no contract for construction of a road, bridge, or of a public building shall be entered into until the provincial treasurer shall certify that there is in the provincial treasury a sum sufficient to meet the estimated cost of the construction of the improvement

Plans or surveys.

Certificate by provincial treasurer.

Retention of funds in treasury.

which may be lawfully devoted to such purpose; and after such certificate shall be made and filed and the contract entered into, the provincial treasurer shall treat the sum thus certified as not

subject to warrant except to meet the obligations of the contract. All work of repair, construction, or equipment of roads or buildings involving a greater cost than one thousand pesos, Philippine currency, shall be let to the lowest responsible bidder, after ten days' public notice of the letting by advertisement in a paper of general circulation in the province, or, if there be no such paper, by a notice posted for ten days at the main entrance to the supervisor's office in the capital of the province. If the provincial board shall regard the contract to be let and the work to be done of sufficient magnitude, it may authorize the supervisor, in addition to giving the public notices above required, to advertise for bids in a newspaper published in the city of Manila. The supervisor is authorized to reject any or all bids, and if the bids are too high he may recommend to the board that he be allowed to purchase the material and hire the labor and himself supervise the work, and the board may then authorize such a course.

Bids.

Advertisement.

—in Manila.

Rejection of bids.

Labor and materials.

(d) To agree, upon the recommendation of the provincial supervisor, with the provincial board of any adjoining province, on the terms, within the limitations of law, upon which roads forming the boundary between the two provinces, and bridges and ferries crossing streams forming such boundary, shall be constructed, repaired, or maintained under the joint control of the two provincial governments.

Boundary roads.

(e) To direct, in its discretion, the bringing or defense of suits on behalf of the provincial government and to compromise the same on the recommendation of the provincial fiscal and the approval of the judge of First Instance for the district.

Suits.

(f) To order the monthly payment of all salaries provided by law, and the payment of all lawfully contracted indebtedness, by directing the issue of warrants upon the provincial treasurer. Every warrant shall be drawn by the governor and countersigned by the secretary, and shall recite the cause and purpose of drawing the same, the date of the resolution authorizing it, and the page of the minutes of the board's proceedings on which it is recorded. Should the provincial treasurer deem any warrant drawn to be for an unlawful or unwarranted purpose, he may suspend payment and refer the question to the Auditor for the Philippine Islands, whose decision shall be mandatory upon him.

Payment of salaries.

Warrants.

—suspension of payment.

(g) To authorize the provincial treasurer to deposit so much of the provincial funds as may not be needed in the near future for public use in a bank of deposit of approved standing in the Islands. All interest paid on such deposit shall inure to the benefit of the provincial treasury, and no funds shall be deposited in the bank by the treasurer until there shall be spread upon the minutes of the board a resolution reciting and approving the exact

Deposits.

—interest on.

—resolution by board.

- Weekly certifi-
cates by the bank. terms of the contract of deposit in the bank. The bank shall certify the weekly balances of provincial funds held by it to the provincial governor and to the Treasurer of the Philippine Islands.
- Meetings. (h) To hold regular weekly meetings upon a day to be fixed by the board, and special meetings upon the call of the governor. The meetings of the board shall be open to the public.
- Subordinate em-
ployees. (i) To authorize the appointment of necessary subordinate employees by the various provincial officers, and to fix the salaries of such employees, subject to the approval of the Treasurer of the Philippine Islands.
- Hours of employ-
ment. (j) To adopt rules regulating the hours of employment of the subordinates in the various offices, subject to the provisions of the Civil Service Law and Rules.
- Seal. (k) To provide an official seal for the province.
- Township ordi-
nances, and other
acts. (l) To pass upon every ordinance, resolution, or other act of the several township councils of the province, approving the same should they deem it satisfactory; should they deem it unsatisfactory they shall return it to the council, suggesting suitable amendments; the council shall inform them of its action, and they shall then approve the ordinance or act as amended, or modify it, as they may deem necessary. Should the council of any township fail to fix the limits of the barrios of the township; to fix the salaries of duly authorized officers and employees; to make appropriations for lawful and necessary township expenditures; to regulate the sanitation of the township and order the removal of nuisances and causes of disease; to regulate the running at large of domestic animals; to adopt suitable measures to prevent the spread of disease; to prohibit gambling, opium smoking, or the sale of opium for smoking; to provide for the care of the poor, the sick, or of orphans; to provide for the establishment and maintenance of schools for primary instruction; to provide for the construction and maintenance of necessary waterworks for supplying the inhabitants of the township with water, and for insuring the equitable distribution and use of water for the purpose of irrigation in the township or for other purposes; or, in general, to provide for carrying into effect and discharging the powers and duties conferred on it by law; or, should it fail to enact such measures as are necessary and proper to provide for the health and safety, promote the prosperity, improve the morals, good order, peace, comfort, and convenience of the township and the inhabitants thereof and for the protection of the property therein—then the provincial board shall issue to the president of such township suitable written orders for securing these ends, and such orders shall have the effect of law, subject to disapproval by the Secretary of the Interior. But the constant aim of the provincial board shall be to aid the people of
- Failure of coun-
cils to act.
- action by pro-
vincial board.
- Constant aim of
board.

the several townships of the province to acquire the knowledge and experience necessary for successful local popular government, and their supervision and control shall be confined within the narrowest limits consistent with the requirements that the powers of government in the township shall be honestly and effectively exercised, and that law and order and individual freedom shall be maintained.

(m) To change the boundaries of existing townships and of townships hereafter established.

(n) To provide, if deemed expedient by the provincial board, by construction or purchase or renting, such school building or buildings in the province as in the opinion of the board may be necessary, to be used for the free secondary instruction of pupils resident in the province, such secondary instruction being understood to include, in addition to academic and commercial subjects, manual training, instruction in agriculture, and normal-school instruction, and to provide for the payment of all expenses of maintaining such public school or schools of secondary instruction as may be established in the province; and the schools in their establishment and conduct shall be subject to the general supervision of the division superintendents and the General Superintendent of Education, in accordance with the provisions of Act Numbered Seventy-four: *Provided*, That, temporarily, and until such time as the Commission shall decide that the condition of the finances of the province will justify for the future payment of the salaries of teachers and the expense of supplies and equipment for secondary schools from the provincial treasury, such salaries and expense may be borne by the Insular Government: *Provided further*, That if for any reason the province is not prepared to establish a secondary or high school, the provincial board may provide from provincial funds for the payment of the tuition, in a high school in any other province or in the city of Manila, of such pupils as may wish to enter such high school and are declared by the proper examining authorities of the school which they wish to enter to be fitted to receive secondary instruction; and the principal of the high school in question shall, provided the provincial board shall approve of the admission of pupils from other provinces, make provision for their accommodation, and when the school to which such pupils are admitted is a provincial school the provincial board may authorize and direct the provincial treasurer to collect from the province sending them a reasonable tuition fee for each pupil so admitted.

(o) To provide and equip for the division superintendent of schools the necessary room or rooms for his office and for use in storing and distributing supplies. In case any division embraces more than one province, such room or rooms and equipment shall

—limitation upon supervision and control.

Changes of boundaries.

Construction, purchase, or renting of school buildings.

Free secondary instruction.

Normal school instruction.

Expenses of maintenance.

Supervision.

Salaries of teachers, and expenses, payment.

—by Insular Government temporarily.

Payment of tuition in high school outside of province.

Provision for accommodation.

—in other provincial schools.

Rooms for division superintendents.

be provided by the province in which the division superintendent maintains his residence.

Requisitions to
Executive Secre-
tary.

(p) To forward to the Executive Secretary requisitions upon the Insular Purchasing Agent for property or supplies made under the provisions of Act Numbered One hundred and forty-six, as

Resolutions by
board.

amended, and to accompany the same with a certified copy of a resolution by the provincial board or township council making the necessary appropriation to cover the cost and expenses thereof; and,

Certificates by
treasurer.

also, when notified by the Insular Purchasing Agent that he is ready to make the shipment, to forward to him a certificate by the provincial treasurer or township treasurer, as the case may be, showing that there is sufficient money in the provincial treasury or township treasury to cover the cost and expenses incurred by reason of the requisition, and that the money required to make the payment has been set aside by the board or council and is reserved for the purpose. It is hereby made the duty of the provincial treasurer or township treasurer to issue such certificate, if the facts warrant the issue thereof, upon the request of the provincial board

Retention of
funds in treasury.

or township council. After the making of an appropriation by the provincial board or township council for the purpose above mentioned the money thus set aside shall not be withdrawn by the provincial treasurer or township treasurer for any other purpose, whether by direction of the provincial board or township council or otherwise, under penalty of dismissal of such provincial or township treasurer.

Minor surveys
and examinations.

(q) To order, in its discretion, the execution by the supervisor, at provincial expense, of such minor surveys and examinations as may be necessary to determine the advisability of making public improvements, either by the provincial government or the Insular Government, within the jurisdiction of the province: *Provided*, That no survey or examination costing more than one thousand pesos, Philippine currency, shall be commenced without the previous approval of the Consulting Engineer to the Commission.

—limitation.

Loans to town-
ships.

(r) To make loans, when deemed expedient by the provincial board, out of provincial funds not otherwise appropriated, to townships of the province for the construction or repair of school buildings or for other school purposes: *Provided, however*, That the sum so loaned in any one fiscal year shall not exceed ten per centum of the gross regular income of the province for the previous fiscal year: *And provided further*, That such loans shall be made payable without interest by the townships to the province not later than the end of the succeeding fiscal year.

—without interest.

Townships ad-
vanced in civiliza-
tion.

SEC. 18. When, in its opinion, the inhabitants of any township or settlement have advanced sufficiently in civilization and material prosperity to make such a course practicable and in the public

interest, the provincial board may by resolution, with the approval of the Secretary of the Interior first had:

(a) Provide that the general exemption of members of non-Christian tribes from payment of the poll or cedula personal taxes prescribed by section one hundred and twenty of the Internal Revenue Law of Nineteen hundred and four shall not apply to the inhabitants of such township or settlement, but that they shall pay said tax, and that the affirmative provisions of sections one hundred and twenty to one hundred and twenty-five, inclusive, of said Internal Revenue Law shall be applicable to the inhabitants of such township or settlement.

(b) Provide that sections forty-three to ninety, inclusive, of the Municipal Code, as amended, and subsection (i) of section thirteen and section seventeen of the Provincial Government Act, relative to taxation, shall be applicable to such township or settlement: *Provided*, That the provincial board shall by resolution fix the date before which property owners must comply with the provisions of section fifty-one of the Municipal Code; the date when the board of assessors shall meet, take oath of office, organize, and proceed to make a list of all the taxable real estate in the township by barrios; the date within which the board of assessors shall complete their valuation of the real property situated within the township and the period within which the annual taxes thus imposed shall be payable during the year within which they become due.

SEC. 19. (a) There is hereby imposed, for the purpose of protecting, improving, and extending the roads and trails of the province and of constructing public works, an annual tax of two pesos on every male inhabitant of the province over eighteen years and under sixty years of age, except soldiers and sailors of the United States Army and Navy, civilian employees of the military branch of the United States Government in the Philippine Islands, consular and diplomatic representatives and of officials of foreign powers in the Philippine Islands, paupers, insane persons, and persons serving a sentence of more than one year in a public prison. This tax shall be collected by the provincial treasurer and his deputies. It shall be deemed to be delinquent after the first day of February of each year: *Provided*, That the amount of taxes due and payable for the period from the date of this Act to the first day of January, nineteen hundred and seven, shall be two pesos: *And provided further*, That this amount shall be due and payable on the first day of December, nineteen hundred and five, and shall become delinquent on the first day of January, nineteen hundred and six: *And provided further*, That persons liable to pay this tax not residents of the province prior to February first of

—cedula taxes.

Declarations of property values, assessment and collection of taxes.

Annual tax for road construction and improvement.

—exceptions.

—collection.

—delinquent, when.

Persons locating in province after February 1.

any year, but who enter and reside in the province after that date, may pay the tax within thirty days after their arrival in the province.

- Delinquents. (b) Any person who becomes delinquent in the payment of this tax shall, in lieu of such payment, work for ten days on the roads, trails, or public works in the province under the direction of the provincial supervisor, either performing such work in person or providing a substitute to perform it: *Provided*, That at any time after he or his substitute shall have begun work he may secure
- work on roads. release from obligation to work by payment of the amount of the tax originally due in full. The provincial board shall also fix the period within which the inhabitants of each township who are delinquent in the payment of this tax shall work it out, and the road, trail, or
- release. Period of work. public work upon which they shall labor: *Provided*, That when any delinquent in the payment of this tax is obliged to perform work outside the township in which he resides he shall be furnished sub-
- Work outside of township. sistence by the province while engaged in such work and during the usual and necessary time consumed in going from his home to the place where such work is performed and in returning from such
- Credit for time consumed in travel. place to his home: *And provided further*, That he shall be credited with the usual and necessary time consumed in traveling from his home to the place where the work is performed and returning there-
- Failure to work. from as a part of the time required of him, such usual and necessary time to be determined by the provincial board. Any person delin-
- punishment. quent in the payment of this tax who shall refuse or fail, either in person or by a substitute furnished by him, to work it out within the period fixed by the provincial board, shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine not exceeding ten pesos or by imprisonment not exceeding twenty days, or by both such fine and imprisonment, in the discretion of the court.
- Exemption from road tax. (c) When, in the opinion of the provincial board, the inhabitants of any township or settlement have not advanced sufficiently in civilization to make the collection of this tax practicable, or in the public interest, the board may, by resolution, with the approval of the Secretary of the Interior first had, exempt the inhabitants of such township or settlement from the payment of this tax.
- Purchase of rice for sale to laborers. (d) The provincial board is hereby authorized in its discretion to expend such amounts as may appear necessary for the purchase of rice to be sold at cost to laborers actually at work on the roads and bridges of the province. Payments on this account shall be made from the road and bridge fund of the province and all money derived from sales shall be deposited in the provincial treasury to the credit of said fund.
- Vacancies in provincial offices. SEC. 20 (a) Vacancies in provincial offices created by removal,

resignation, or death shall be filled by appointment by the Governor-General, with the advice and consent of the Commission, within ninety days after the vacancy occurs.

(b) Should the Governor-General have reason to believe that any provincial officer is guilty of disloyalty, dishonesty, oppression, or misconduct in office, he may suspend him from the discharge of the duties of his office, and, after due notice to the suspended officer, shall investigate the cause of suspension and either remove him, with the advice and consent of the Commission, from office or reinstate him, as the circumstances may require. In case the suspension results in a removal, the removed appointee shall not receive any compensation from and after the date of his suspension. Should he be reinstated, it shall be in the discretion of the Governor-General to direct that his compensation, during the period of his suspension, shall be withheld, or paid from the provincial treasury. Suspension or removal under this section shall not prevent the institution of criminal proceedings against the person suspended or removed.

Suspensions by the Governor-General.

Removal or reinstatement.

Compensation.

Criminal proceedings. pro-

Every provincial officer shall be subject to prosecution, in a Court of First Instance, for a criminal act committed by him, in the same manner as any other person.

Prosecution for criminal acts.

(c) Pending the filling of a vacancy in a provincial office created by removal, resignation, or death, or whenever a provincial officer fails to discharge or is disabled from discharging the duties of his office on account of sickness, absence, or other cause, or in case of the suspension of a provincial officer by the Governor-General as provided by paragraph (b) of this section, the vacancy thus caused shall be filled in the following manner:

Temporary vacancies, absence or suspension.

(1) In case the vacancy, absence, or suspension is in the office of provincial governor, the provincial secretary shall discharge the duties of provincial governor during such vacancy, absence, or suspension, or until the vacancy shall be filled as directed by law: *Provided, however,* That if in the judgment of the Governor-General the public interest demands, the vacancy thus created may be filled by a person to be specially appointed by the Governor-General instead of by the secretary of the province; and in case such person is not at the time of appointment in the service of the Government, his salary shall be the same as that of the regular provincial governor and shall be paid out of provincial funds.

—in office of provincial governor.

Whenever the governor of the province shall leave the capital for a temporary absence for the purpose of inspecting the townships of his province or for any other purpose, he may, if he thinks the public interest will be served thereby, delegate to the secretary of the province, by a proper writing, the power to perform such of his duties as governor as can only conveniently

—when the governor leaves the capital.

be performed at the capital of the province. Such written delegation shall be spread upon the records of the province to evidence the authority of the secretary to perform such acts of the governor as he may be required to perform after such delegation.

—in offices of secretary, treasurer, or supervisor.

(2) In case the vacancy, absence, or suspension is in the office of provincial secretary, provincial treasurer, or provincial supervisor, the Governor-General shall appoint a person to perform the duties of the office during such vacancy or absence or suspension, and, in the case of the provincial treasurer and provincial supervisor, shall make such provision with respect to the bond of the temporary appointee as to him may seem wise. In all cases in which a deputy of the Insular Treasurer shall take possession of the office of any provincial treasurer because of alleged defalcations in his office, such treasurer shall *ipso facto* be suspended from the performance of his functions as a member of the provincial board, and the deputy placed in charge of the office of such provincial treasurer by the Insular Treasurer shall, during the time he is in charge of such office, be a member of the provincial board with all the powers and duties pertaining to the provincial treasurer, and during such time the per diem to which such examiner or deputy is entitled under the provisions of Act Numbered Three hundred and fifty-eight, as amended, shall be paid from the revenues of the province where such service is rendered.

—in office of fiscal.

(3) In case the vacancy, absence, or suspension is in the office of fiscal for the province the judge of First Instance may appoint a temporary fiscal to discharge the duties of the office which the regular fiscal fails or is unable to perform. The temporary fiscal shall receive the same compensation and allowance per day as that provided by law for the regular fiscal for the days actually employed, such compensation to be paid out of the salary of the regular fiscal or from the appropriation for contingent expenses, Bureau of Justice, as the Secretary of Finance and Justice shall decide.

Leaving the province.

SEC. 21. No provincial official shall leave the province without obtaining permission so to do from the Governor-General.

Justices of the peace *ex officio*.

{ SEC. 22. The provincial governor, the provincial secretary, the provincial treasurer, the provincial supervisor, and the deputy clerk of the Court of First Instance for the province are hereby made justices of the peace, *ex officio*,* with jurisdiction throughout the province. All fees collected in the province by any provincial officer or deputy clerk of the Court of First Instance as *ex officio* justices of the peace shall be accounted for to the provincial treasurer and turned into the provincial treasury.) Courts of justices of the peace may, upon recommendation of the provincial board and with the approval of the Secretary of Finance and Justice, be established in townships organized under the Township

Government Act, Numbered Thirteen hundred and ninety-seven, in like manner and with like powers, jurisdiction, and duties as courts of justices of the peace in municipalities organized under Act Numbered Eighty-two, entitled "The Municipal Code." The existing courts of justices of the peace in provinces organized under this Act are hereby recognized and continued and the justices of such courts shall continue in office during the pleasure of the Philippine Commission, and the establishment of such courts and the appointment of such justices are hereby validated.

SEC. 23. (a) The Province of Nueva Vizcaya shall consist of the ^{Territory, Province of Nueva Vizcaya.} territory included within the limits of said province at the time of the cession of the Philippine Islands to the United States. The capital of the province shall be the township of Bayombong.

(b) The officers of the provincial government shall be a ^{Provincial officers.} provincial governor, at four thousand eight hundred pesos per annum, who shall discharge, in addition to his regular duties, the duties hereinbefore prescribed for the provincial supervisor; a provincial secretary-treasurer, at three thousand pesos per annum, who shall discharge the duties hereinbefore prescribed for the provincial secretary and those prescribed for the provincial treasurer and who shall give a bond, as provided by section four of this Act, in the sum of ten thousand pesos. The fiscal for the Mountain Judicial District shall discharge the duties hereinbefore prescribed for the provincial fiscal.

(c) The provincial governor, the provincial secretary-treasurer, ^{Provincial board.} and the division superintendent of schools for the Province of Nueva Vizcaya shall constitute the provincial board.

SEC. 24. (a) The Province of Lepanto-Bontoc shall consist of ^{Territory, Province of Lepanto-Bontoc.} the territory included within the limits heretofore fixed for this province by Act Numbered Four hundred and ten, as amended. The capital of the province shall be the township of Cervantes.

(b) This province shall be divided into three subprovinces, as ^{Subprovinces.} follows:

(1) The subprovince of Lepanto, which shall consist of the ^{—Lepanto.} territory included within the boundaries fixed for this subprovince by Act Numbered Four hundred and ten, as amended.

(2) The subprovince of Bontoc, which shall consist of the ^{—Bontoc.} territory included within the boundaries fixed for this subprovince by Act Numbered Four hundred and ten, as amended.

(3) The subprovince of Amburayan, which shall consist of the ^{—Amburayan.} territory included within the boundaries fixed for this subprovince by Act Numbered Four hundred and ten, as amended.

(c) The officers of the provincial government shall be a ^{Provincial officers.} provincial governor, at four thousand eight hundred pesos per annum; a secretary-treasurer, at three thousand two hundred pesos per

annum, who shall discharge the duties hereinbefore prescribed for the provincial secretary and those prescribed for the provincial treasurer, and who shall give a bond as provided by section four of this Act in the sum of ten thousand pesos; and a provincial supervisor, at three thousand pesos per annum. The fiscal for the Mountain Judicial District shall discharge the duties hereinbefore prescribed for the provincial fiscal.

Lieutenant-governors, Bontoc and Amburayan.

(d) There shall be a lieutenant-governor for the subprovince of Bontoc, at three thousand pesos per annum, who shall reside and have his office in the settlement of Bontoc; and a lieutenant-governor for the subprovince of Amburayan, at two thousand four hundred pesos per annum, who shall reside and have his office in the settlement of Alilem. Subject to the supervision of the provincial governor, the lieutenant-governors shall exercise in their respective subprovinces the powers hereinbefore conferred upon the provincial governor. They shall be eligible to appointment as deputies of the provincial secretary-treasurer, but when so appointed shall receive no additional salary.

Powers of lieutenant-governors.

(e) The lieutenant-governors shall have power to appoint, in accordance with the rules and restrictions of the Civil Service Act and the Acts amendatory thereof, such permanent assistants, clerks, and employees in their offices as may be approved by the provincial board. The number and salaries of such employees shall be reported by them to the Treasurer of the Philippine Islands, who shall have the power to abolish such subordinate offices or reduce salaries; and no increase shall be made in the number of such employees or the amount of such salaries after having been reduced by the Treasurer of the Philippine Islands before his approval of the proposed increase shall have been obtained. The salaries of the officers and employees provided for in subsections (d) and (e) of this section shall be paid from the provincial treasury.

Justices of the peace *ex officio*.

(f) The lieutenant-governor of Bontoc and the lieutenant-governor of Amburayan shall be justices of the peace *ex officio*, with jurisdiction throughout their respective subprovinces.

Territory, Province of Mindoro.

SEC. 25. (a) The Province of Mindoro shall consist of the Island of Mindoro, the Island of Lubang, and the small islands adjacent to these islands and not included within the limits of any other province.

Provincial officers.

(b) The officers of the provincial government of Mindoro shall be a provincial governor, at four thousand five hundred pesos per annum; a provincial supervisor-treasurer, at four thousand five hundred pesos per annum, who shall discharge the duties hereinbefore prescribed for the provincial supervisor and those prescribed for the provincial treasurer, and who shall give a bond as provided by section four of this Act in the sum of twenty thousand pesos; a

provincial secretary, at three thousand pesos per annum; and a provincial fiscal, at two thousand eight hundred pesos per annum. These officers shall reside and have their offices in the township of Calapan, Island of Mindoro, which is hereby made the capital of the province.

(c) The provincial governor, the provincial supervisor-treasurer, and the provincial secretary shall constitute the provincial board. Provincial board.

SEC. 26. (a) The Province of Palawan shall include the entire Island of Palawan, the Islands of Dumaran and Balabac, the Calamianes Islands, the Cuyos Islands, the Cagayan Islands, and all other islands adjacent to these islands and not included within the limits of any other province. Territory, Province of Palawan.

(b) The capital of the Province of Palawan shall be the township of Puerto Princesa on the Island of Palawan: *Provided, however,* That until cable communications shall have been established between Puerto Princesa and Manila, the provincial governor shall have discretion to fix the capital of that province either at Cuyo or at Puerto Princesa, and to change the place of the capital from one place to the other, as the public interests may require, the change of the capital, if made, to be effected by a proclamation of the provincial governor, a copy of which shall be forwarded to the Executive Secretary. Capital.

(c) The officers of the provincial government shall be a provincial governor, at three thousand two hundred pesos per annum, who shall discharge the duties hereinbefore prescribed for the provincial governor and those prescribed for the provincial supervisor; and a provincial secretary-treasurer, at three thousand pesos per annum, who shall discharge the duties hereinbefore prescribed for the provincial secretary and those prescribed for the provincial treasurer, and who shall give a bond as provided by section four of this Act in the sum of ten thousand pesos. The fiscal for the Fifteenth Judicial District shall perform the duties prescribed for the provincial fiscal. Provincial officers.

(d) The provincial governor, the provincial secretary-treasurer, and the division superintendent of schools for the Province of Palawan shall constitute the provincial board. Provincial board.

SEC. 27. (a) The Province of Benguet shall retain the boundaries fixed by law at the time of the passage of this Act, and the capital of the province shall be the township of Baguio. Territory, Province of Benguet.

(b) The officers of the provincial government of Benguet shall be a provincial governor, at three thousand six hundred pesos per annum, who shall perform the duties prescribed for the provincial governor and those prescribed for the provincial supervisor; a provincial secretary, at one thousand two hundred pesos per annum; and a provincial treasurer, at one thousand six hundred pesos per Provincial officers.

Disbursing officer Civil Sanitarium.

annum, who shall also act as disbursing officer for the Civil Sanitarium, Benguet, and who shall receive therefor, from the Civil Sanitarium, eight hundred pesos per annum, together with subsistence and quarters in kind. The provincial treasurer shall give a bond as provided by section four of this Act in the sum of eighteen thousand pesos.

Provincial board. (c) The provincial governor, the provincial secretary, and the provincial treasurer shall constitute the provincial board.

Repeal of Acts. SEC. 28. The following Acts and all Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed:

No. 49. (a) Act Numbered Forty-nine, entitled "An Act providing for the establishment of a civil government for the Province of Benguet."

No. 337. (b) Act Numbered Three hundred and thirty-seven, entitled "An Act providing for the organization of a provincial government in the Province of Nueva Vizcaya."

No. 410. (c) Act Numbered Four hundred and ten, entitled "An Act providing for the organization of a provincial government in the territory comprised in the *comandancias* of Lepanto, Bontoc, and Amburayan, and the territory lying between Abra, Cagayan, and Bontoc not included within the limits of any province, and providing for justices of the peace in this territory and in the Province of Nueva Vizcaya."

No. 422. (d) Act Numbered Four hundred and twenty-two, entitled "An Act providing for the organization of a provincial government in the Province of Paragua, and defining the limits of that province."

No. 441. (e) Act Numbered Four hundred and forty-one, entitled "An Act amending Act Numbered Four hundred and twenty-two, organizing a provincial government in the Province of Paragua, so as to provide that the duties of fiscal of that province shall be performed by the fiscal of the Fourteenth Judicial District."

No. 500. (f) Act Numbered Five hundred, entitled "An Act providing for the organization of a provincial government in the Island of Mindoro, defining the limits of that province, and repealing Act Numbered Four hundred and twenty-three, entitled 'An Act extending the provisions of the Provincial Government Act and its amendments to the Island of Mindoro and incorporating that island with the Province of Marinduque.'"

No. 566. (g) Act Numbered Five hundred and sixty-six, entitled "An Act amending Act Numbered Four hundred and ten, providing for the organization of the Province of Lepanto-Bontoc, by increasing the salary of the secretary-treasurer in said province to one thousand three hundred dollars and the salary of the lieutenant-governor of the subprovince of Bontoc to one thousand five hundred dollars per year."

(h) Act Numbered Five hundred and sixty-seven, entitled "An Act amending Act Numbered Four hundred and twenty-two, providing for the organization of a provincial government in the Province of Paragua and defining the limits of that province, by fixing new boundaries for the Province of Paragua." No. 567.

(i) Sections one and two of Act Numbered Seven hundred and forty-seven, entitled "An Act to amend Act Numbered Four hundred and twenty-two, as amended, by defining new limits for the Province of Paragua, and for other purposes." No. 747, s. 1 and 2.

SEC. 29. It shall be the duty of the Secretary of the Interior to visit and inspect each province organized under the provisions of this Act at least once during each fiscal year. Annual inspection by Secretary of the Interior.

SEC. 30. The short title of this Act shall be "The Special Provincial Government Act." Short title.

SEC. 31. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An Act prescribing the order of procedure by the Commission in the enactment of laws," passed September twenty-sixth, nineteen hundred.

SEC. 32. This Act shall take effect on its passage.

Enacted, September 14, 1905.

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